

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE	*	BKRTCY. NO. 08-08293 ESL
CARLOS ROLON MORALES	*	CHAPTER 13
WALESKA RODRIGUEZ		
CARRASQUILLO	*	
DEBTORS		

DEBTORS' MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329

TO THE HONORABLE COURT:

COMES NOW, CARLOS ROLON MORALES and WALESKA RODRIGUEZ
CARRASQUILLO, debtors in the above captioned case, through the undersigned attorney,
and very respectfully state and pray as follows:

1. The debtors are hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated May 20, 2013, herewith and attached to this motion.
2. This Plan modification is filed to edit tax refund language.

NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(g)

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13

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Post Confirmation Modification 11 USC 1329

Case no. 08-08293 ESL

Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 20th day of May, 2013.

/s/Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
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United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 3:08-bk-8293 (231927)

ROLON MORALES, CARLOS & RODRIGUEZ CARRASQUILLO, WALESKA

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 5/20/2013

☐ AMENDED PLAN DATED: _____

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 200.00 x 60 = \$ 12,000.00
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____

TOTAL: \$ 12,000.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 12,000.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 1,999.00

Signed: /s/ CARLOS ROLON MORALES
Debtor

/s/ WALESKA RODRIGUEZ CARRASQUILLO
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☐ Trustee pays secured ARREARS:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

BANCO POPULAR D

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

DORAL FINANCIAL

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
Debtor paid into the plan the 2008 tax refund in the amount of \$399.79. The mentioned refund was returned by trustee to debtor as per court order at Docket no. 69. The debtor also paid into the plan the 2009 tax refund in the amount of \$864.00. Plan's base should be deemed automatically increased by the 2009 tax refund. Debtors need the remaining tax refund to be received during the life of the plan in order to supplement their basic necessities and thus, no further tax refunds will be devoted into the plan.

*Or as otherwise specified on proof of claim.

Late filed claims filed by creditors will receive no distribution.

"Surrender collateral": Shares/savings in any Cooperativa/Association/Bank.

Debtor reserves the right to object claims after plan confirmation.

Attorney for Debtor R. Figueroa Carrasquillo Law Office

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